

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

In the Matter of the Revocation)	
)	
or Suspension of the Educators)	ORDER OF SUSPENSION
)	
Certificate of Jerry Ben Easler)	
)	
Certificate # 082513)	

The South Carolina State Board of Education (State Board) considered this matter on March 11, 2003. On February 4, 2003, the State Department of Education (Department) sent a notice of the possible suspension or revocation of his South Carolina Educator's Certificate (certificate) to Jerry Ben Easler by certified mail, return receipt requested delivery restricted to addressee. Mr. Easler received the notice as evidenced by a signed postal receipt. Mr. Easler did not request a hearing during the period required by law, and is now in default. After considering the evidence presented by the Department, which was not disputed by Mr. Easler, the State Board voted to suspend his certificate for one year.

FINDINGS OF FACT

Mr. Easler holds a valid South Carolina certificate, and has sixteen years of teaching experience. He was under contract with the Abbeville County School District (District) for the 2001-2002 school year. Mr. Easler was a teacher and tennis coach at Abbeville High School. In his coaching capacity Mr. Easler drove the team bus to tennis matches. On May 7, 2002, the District conducted a random drug test of its bus drivers. On May 14, 2002, the District was notified that Mr. Easler tested positive for cocaine. He was immediately suspended. On May 29, 2002, the Abbeville County School District Board of Trustees (Board) conducted a hearing regarding Mr. Easler's employment with the District. Mr. Easler claimed that he had been at a bar the night before the test and someone must have slipped something into his drink. He also told the Board that he was a fitness nut and would not put anything like that into his body. He did admit to drinking at a bar. The Board terminated Mr. Easler.

CONCLUSIONS OF LAW

“The South Carolina State Board of Education may, for just cause, either revoke or suspend the certificate of any person.” S.C. Code Ann. § 59-25-150 (1990). Just cause includes: “Unprofessional conduct,” and, “Sale or possession of narcotics.” S.C. Code Ann. § 59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58 (1992). The State Board finds that the preponderance of the evidence presented by the Department, which is undisputed by Mr. Easler, supports its decision to suspend Mr. Easler’s certificate from March 11, 2003, through March 10, 2004. At the end of the suspension period if he wants his certificate reinstated, Mr. Easler may make a written request for reinstatement to the Office of Teacher Education and Certification of the Department. Prior to the reinstatement of his certificate, Mr. Easler must successfully pass a drug test at a time and place determined by the Department to prove that he is not under the influence of drugs.

South Carolina State Board of Education

By: /S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina

March 11, 2003